



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. Box 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

RatnerPrestia
P.O. Box 1596
Wilmington, DE 19899

Paper No.

OCT 15 2004

In re Application of	:	
William T. Wilkinson	:	NOTIFICATION OF
Serial No. : 10/033,108	:	IDENTIFICATION OF
Filed : December 28, 2001	:	PRIOR ART IN
US Publication No. : 2002/0086779	:	UNTIMELY PROTEST
Published : July 4, 2002	:	UNDER 37 CFR 1.291(a)
For : Resistance Devices, Total-Body Exercise Machines	:	
Outfitted Therewith, and Exercise Methods Using	:	
Such Devices and Machines	:	

The protest filed July 26, 2004 under 37 CFR 1.291(a) was filed after July 4, 2002, the publication date of the application.

Because the protest was filed after the publication of the application, it is untimely and it is not being entered in the application file. It is also noted that this submission was reviewed to determine compliance with 37 CFR 1.99, Third-Party Submission in Published Application as per guidelines set forth in section 1134.01 of the MPEP. The submission does not comply with the requirements of 37 CFR 1.99(b)(1), (d), and (e). Accordingly, the duplicate copy submitted by the protestor is being destroyed in accordance with section 1901.06 of the MPEP, Protest Filed After Allowance or the Publication of the Application, and section 1134.01 of the MPEP.

Applicant may wish to consider submitting the prior art from the protest pursuant to 37 CFR 1.97 and 37 CFR 1.56 during the prosecution of the application.

Andres Kashnikow
Special Programs Examiner
Technology Center 3700
Phone: (703) 308-1137